

Remarks

Claims 1-8, 17-28 and 31-32 are pending.

The Examiner rejected Claims 1, 4-8, 17, 20-22, 25-28 and 31-32 under 35 U.S.C. § 102(b) as being anticipated by the U.S. Patent 5,864,753 ("Morita"). With respect to Claims 1 and 17 the Examiner states:

Regarding claims 1 and 17, Morita discloses a radio receiving system and a method of tuning a mobile radio system comprising: (see Fig. 1), a location unit (navigation unit 26), a wireless interface to a wide area network (communication unit 18), a frequency selection unit coupled to receive a current location from the location unit (see col. 2, lines 32-37), in response to a change in signal reception condition corresponding to a change in the strength of the radio signal then being received falling below a predetermined value (user obtaining data concerning a new radio station by sending his current position to the base station when the base station travels to a new area where the previously identified radio station is not accessible, col. 2, lines 38-43), wherein the frequency selection unit retrieves over the wireless interface, tuning data representing a set of frequencies of broadcast signals that can be received at the current location from a data storage system associated with a server on the wide area and further selects a frequency from the set of frequencies of broadcast signals in the tuning data retrieved (see col. 4, lines 24-30), the tuning data retrieved having been filtered according to a previously determined set of selection criteria based on user content preferences (controller providing base station with request messages as sequential data reflecting the plurality of programs the driver wants to listen to, see col. 4, lines 9-24), and a radio receiver coupled to receive the selected frequency from the frequency selection unit and tunes to receive the broadcast signal at the selected frequency (see col. 4, lines 30-39).

Applicant respectfully traverses the Examiner's rejection. Applicant's Claim 1 and 17 recite, respectively, that station selection occurs at the frequency selection unit of the radio signal receiving system (or the mobile radio system):

1. (Previously presented) A radio signal receiving

system comprising:

a location unit;

a wireless interface to a wide area network;

a frequency selection unit coupled to receive a current location from the location unit wherein, in response to a change in signal reception condition, the frequency selection unit (1) retrieves, over the wireless interface, tuning data representing a set of frequencies of broadcast signals that can be received at the current location from a data storage system associated with a server on the wide area network, the tuning data retrieved having been filtered according to a previously determined set of selection criteria based on user content preferences, and (2) further selects a frequency from the set of frequencies of broadcast signals in the tuning data retrieved; and

a radio receiver coupled to receive the selected frequency from the frequency selection unit, and tunes to receive the broadcast signal at the selected frequency.

* * *

17. (Previously presented) A method of tuning a mobile radio system, comprising the acts of:

receiving from a location unit location information that identifies a current position of the system;

in response to a change in signal reception condition, retrieving over a wireless interface to a wide area network tuning data representing a set of frequencies of broadcast signals that can be received at the current location from a data storage system associated with a server on the wide area network, the tuning data having been filtered according to a previously determined selection criteria based on user content preferences;

in a frequency selection unit, further selecting a particular frequency from the tuning data retrieved; and

using the particular frequency to tune a radio receiver to receive the ~~radio~~ broadcast signal at the particular frequency.

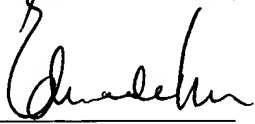
(emphasis added)

As explained in Applicant's Specification at pages 7-8, performing the selection in the frequency selection unit allows using user specified preferences to select among a number of frequencies retrieved from the server. However, contrary to the Examiner's assertion, Morita teaches that the base station performs the frequency selection and the receiver merely tunes to the selected frequencies at the appointed times (Morita's col. 4, line 24-39). Morita's col. 4, lines 9-24, on which the Examiner relies for his rejection merely discloses that multiple programs may be requested and scheduled to be sent to the vehicle's radio receiver. The vehicle's radio receiver plays all of the selections sequentially. Thus, Morita does not teach or suggest frequency selection occurring in a frequency selection unit of a radio signal receiving system, or a mobile radio system, as recited in Applicant's Claims 1 and 17. Thus, Applicant respectfully submits that Claims 1 and 17, and therefore dependent Claims 4-8, 20-22, 25-28 and 31-32 are each allowable over Morita. Reconsideration and allowance of Claims 1, 4-8, 20-22, 25-28 and 31-32 are therefore requested.

The Examiner rejected Claims 2-3, 18-19 and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over Morita, as applied to Claims 1 and 17 above, in further view of U.S. Patent 6,374,177 ("Lee"). Applicant respectfully traverses the Examiner's rejection. Claims 2-3, 18-19 and 23-24 each depend from Claims 1 and 17, respectively. As the recited frequency selection unit is believed neither disclosed nor suggested by Lee, Claims 2-3, 18-19 and 23-24 are believed allowable over the combined teachings of Morita and Lee for at least the reason set forth above with respect to Claims 1 and 17. Reconsideration and allowance of Claims 2-3, 18-19 and 23-24 are therefore requested.

All pending claims (i.e., Claims 1-8, 17-28 and 31-32) are believed allowable over the art of record. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at 408-392-9250.

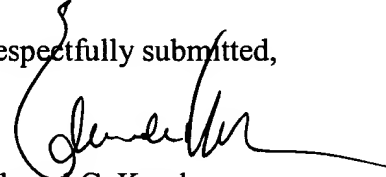
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Date of Signature

Respectfully submitted,



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